

Person Filing: _____

Street Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

IN THE JUSTICE COURT

PRECINCT, COCONINO COUNTY, ARIZONA

Plaintiff(s): _____ Case No. _____

Defendant: _____ **COMPLAINT**
(Breach of Warranty of Habitability)

For my/our complaint we make the following claims:

1. My/our name(s) and current address(es) is/are:

Name: _____ Address: _____

Name: _____ Address: _____

2. Defendant/Landlord's name and address is:

Name: _____ Address: _____

3. I/we rent or rented the dwelling located at _____
from Defendant/Landlord beginning _____
[] to the present OR [] until I/we moved out on _____
Rent is/was in the amount of \$ _____ per month.

4. On numerous occasions, I/we requested that Defendant repair the following conditions on the premises (list conditions and date of first notification to landlord):

5. A.R.S. 33-1324 requires Defendant/Landlord to:

A. Comply with the requirements of applicable building codes materially affecting health and safety.

- B. Make all repairs and do whatever is necessary to put and keep the premises in a fit and habitable condition.
 - C. Maintain in good, safe working order and condition all electrical, plumbing, sanitary, heating, ventilating, and other facilities and appliances supplied or required to be supplied by Defendant/Landlord.
6. Defendant/Landlord failed to repair the problems listed above as required by A.R.S. 33-1324 in spite of requests to repair.
7. I have suffered damages because of Defendant/Landlord's inactions.

THEREFORE, I/we request that this Court find the Defendant/Landlord in violation of A.R.S. 33-1324 and assess money damages pursuant to A.R.S. 33-1362(B) as follows:

A. Damages (cannot exceed \$5,000) in the total amount of \$_____ including:

☐ Reduced value of the dwelling:

\$_____	monthly rent paid MINUS
- \$_____	value of dwelling with the problems EQUALS
= \$_____	monthly damages TIMES
X _____	number of months since first notice to landlord*
\$_____	TOTAL damages for reduced value

*(for example, 1.5 months, but no more than 12 months back from filing date)

☐ Property damage in the amount of \$_____.

☐ Alternate housing expenses (for example, motel) \$_____.

☐ Moving expenses (if problems forced tenant to move) \$_____.

☐ Other \$_____.

In appropriate cases, this may include lost wages, emotional distress (see Thomas v. Goudreault, 163 Ariz. 159, 164-65, 786 P.2d 1010, 1015, 1016 (1989)), and other damages that would not have occurred except for landlord's failure to repair.

- B. Court costs and attorney's fees, if applicable.
- C. Other relief considered just by the Court.

VERIFICATION

I have read this Complaint. It is true and complete to the best of my knowledge.

Plaintiff's Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn or affirmed before me this date: _____

by: _____.

Seal:

Notary Public: _____

Notary Expiration Date: _____

I have read this Complaint. It is true and complete to the best of my knowledge.

Plaintiff's Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn or affirmed before me this date: _____

by: _____.

Seal:

Notary Public: _____

Notary Expiration Date: _____